



Atty. Dkt. No. 084335-0131

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Kazuo NAGAI *et al.*  
Title: NOVEL GENE  
Appln. No.: 09/786,474  
Filed: March 5, 2001  
Examiner: Gabriele E. BUGAISKY  
Art Unit: 1653

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2<sup>nd</sup> SUPPLEMENTAL AMENDMENT

Commissioner for Patents  
Washington, D.C. 20231

Sir:

This communication is supplemental to the amendments filed on May 19 and May 21, 2003, which were responsive to an office action dated November 19, 2002 that issued in the above-referenced patent application. While no other fees are believed due, the PTO is authorized to invoice account No. 190741 for any charges deemed necessary.

Please amend the application as follows:

3. (Twice Amended) An isolated DNA comprising the nucleotide sequence of SEQ ID NO: 1; or a DNA hybridizing with the DNA having a complementary nucleotide sequence of SEQ ID NO: 1 at 65°C in the presence of 0.7 to 1.0M sodium chloride and encoding a protein which confers an ability to grow in a medium containing 1% polypeptone, 0.5% yeast extract, 0.5% sodium chloride, 0.1% glucose, 20 µg/ml thiamine and 100 µg/ml lysozyme to a microorganism belonging to *Corynebacterium glutamicum*, wherein the hybridization further includes a step of washing under the condition of 65°C by the use of solution containing 15 to 300 mM sodium chloride and 1.5 to 30 mM sodium citrate.

22. (Amended) The DNA according to claim 3, wherein the microorganism is a mutant strain of *Corynebacterium glutamicum* which cannot grow in a medium containing 1%

polypeptone, 0.5% yeast extract, 0.5% sodium chloride, 0.1% glucose, 20 µg/ml thiamine and 50 µg/ml lysozyme.

23. (Amended) The DNA according to claim 4, wherein the microorganism is a mutant strain of *Corynebacterium glutamicum* which cannot grow in a medium containing 1% polypeptone, 0.5% yeast extract, 0.5% sodium chloride, 0.1% glucose, 20 µg/ml thiamine and 50 µg/ml lysozyme.

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